

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MATTHEW S. MILLER,

Plaintiff,

Case No. 1:10-cv-498

v.

Hon. Janet T. Neff

LINCOLN FINANCIAL GROUP,

Defendant.

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ORDER AND JUDGMENT
APPROVING REPORT AND RECOMMENDATION

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge (Dkt 15), is approved and adopted as the opinion of the court.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss the Complaint (Dkt 11) is **GRANTED** and Plaintiff's complaint is **DISMISSED** for the reason stated in the Report and Recommendation.

Dated: July 14, 2010

/s/Janet T. Neff
Janet T. Neff
United States District Judge